

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RONDELL JOHNSON,
Petitioner,

No. C 10-416 SI (pr)

ORDER

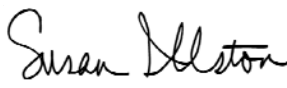
v.

Warden JAQUEZ,
Respondent.

The court stayed this action so that petitioner could exhaust state court remedies for one or more claims. The court noted that the petitioner needed to act diligently to exhaust his state court remedies and explained that "[n]othing further will take place in this action until Johnson exhausts any unexhausted claims and, within thirty days of doing so, moves to reopen this action, lift the court's stay and amend his petition to add his new claims." Order To Stay Proceedings And Administratively Close Case, p. 2. Petitioner has requested an extension of time to file his state court petition. The request is DENIED as unnecessary at this time. (Docket # 34.) Unless and until respondent argues that petitioner did not act with diligence in exhausting state court remedies and moving to reopen this action – an argument respondent has not yet made – there is no need for this court to rule on petitioner's diligence. Further, granting an extension of time to exhaust might cause confusion because this court cannot extend any deadline that the California Supreme Court may impose.

IT IS SO ORDERED.

DATED: September 15, 2011



SUSAN ILLSTON
United States District Judge